

**REMARKS**

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-16 and 23-25 are pending in this application. Claims 1, 9, and 23 are independent. The remaining claims depend, directly or indirectly, from claims 1, 9, and 23.

**Rejection(s) under 35 U.S.C § 102**

Claims 1-5 and 9-13 stand rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent 6,588,673 (“Chen”). This rejection is respectfully traversed.

Claim 1 is directed to a method for activating a smart card. More specifically, claim 1 recites a method for activating a non-activated smart card *for a particular user* that is *being used for the first time by the user*. The method of activation of the non-activated card, as recited in claim 1, further includes receiving identity information from the card and receiving *manual authentication information from the user* to whom the card has been issued.

In contrast, Chen is directed towards a method and system for the in-line pre-production data preparation and personalization solutions from smart cards. The method recited in Chen differs from the invention as recited in claim 1, in at least the following aspects:

- (i) Chen does not disclose or suggest activating a smart card the first time it is used *by a user*, rather Chen teaches pre-processing a smart card which

includes creating a personalized smart card (*see* Col 6, ll. 1-9). The Applicant respectfully asserts that the creation of the personalized smart cards *precedes the activation* of the smart card, and thus, does not show, disclose, or relates to the activation of the smart. Even assuming *arguendo*, that the pre-processing of the smart card results in an activated smart card, the pre-processing fails to include any of *user* interaction (*i.e.*, interaction with the person to whom the card is issued) as recited in claim 1;

- (ii) Chen does not disclose or suggest activating a smart card using manual authentication information input by the user. As noted above, Chen fails to disclose any manual input from the *user* of the smart card as recited in claim 1; and
- (iii) Chen does not disclose or suggest obtaining a public key using identity information and manual authentication information. In contrast, Chen only describes pre-processing of a smart card with no mention of any manual authentication information or using the identity information and the manual authentication information to obtain a public key for the smart card.

In view of the above, Chen fails to show or suggest the present invention as recited in independent claim 1. Thus, the independent claim 1 is patentable over Chen. Further, independent claim 9 includes similar patentable limitations as independent claim 1, and thus is patentable for at least similar reasons. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Rejection(s) under 35 U.S.C § 103**

Claims 6-8, 14-16, and 23-25 stand rejected under 35 U.S.C. § 103 as obvious over Chen in view of U.S. Patent 6,332,192 (“Boroditsky”). This rejection is respectfully traversed.

As noted above, Chen fails to teach or suggest the invention recited in independent claims 1 and 9. Further, the Boroditsky does not teach or suggest what Chen lacks.

Specifically, Boroditsky is directed to a generalized user identification and authentication system. Boroditsky teaches a generic method for users to access secure information. However, Boroditsky does not teach or suggest activating a smart card using manual authentication information input by the user. Further, Boroditsky does not teach or suggest activating a smart card by using identity information from the smart card and manual authentication information input by the user to obtain a corresponding public key.

In view of the above, Chen and Boroditsky, whether viewed separately or in combination, fail to show or suggest the present invention as recited in independent claims 1 and 9. Thus, independent claims 1 and 9 are patentable over Chen and Boroditsky. Further, independent claim 23 includes similar patentable limitations as independent claim 1, and thus is patentable for at least similar reasons. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226.474001).

Respectfully submitted,

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